

08/14/01

Anticipated Classification
of this Application:
Class 435 Subclass

Prior Application:
Examiner M. Brannock
Group Art Unit 1646

Attorney's
Docket
No. 35997-A3ZYA/JPW/ADM

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR:

August 14, 2001

This is a request for filing a X CONTINUATION DIVISIONAL CONTINUATION-IN-PART application underX 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d)¹, of pending prior applicationSerial No. 09/145,864 filed on September 2, 1998 of

Hung-Teh Kao, Paul R. Hartig and Theresa Branchek for Inventor(s)

DNA ENCODING A HUMAN SEROTONIN (5-HT₂) RECEPTOR AND USES THEREOF

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.2. A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27 is enclosed. was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).3. X The filing fee is calculated as follows:CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	7 - 20	=	0	X	9	18	\$	\$ 0
Independent Claims	3 - 3	=	0	X	40	80	\$	\$ 0
Multiple Dependent Claims Presented:	Yes <u>X</u> No				135	270	\$	\$ 0
If the difference in Col. 1 is less than zero, enter "0" in Col. 2.					BASIC FEE		\$ 355	\$ 710
					TOTAL FEE		\$	\$ 710

Filing an application pursuant to this section expressly abandons the parent application.

A
jc973 U.S. PTO
09/145,864 37 C.F.R.
08/14/01

Cont.Div.
Page 2

4. The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.

Any additional filing fees required under 37 C.F.R. §1.16.

Any patent application processing fees under 37 C.F.R. §1.17.

The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

5. Three copies of this sheet are enclosed.

6. A check in the amount of \$710.00 is enclosed.

7. Cancel claims _____.

8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. _____, filed _____.--

9. 10 Sheet(s) of informal formal drawing(s) is/ are enclosed.

10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

11. Priority of application No. _____ filed on _____ in _____ (country)

is claimed under 37 U.S.C. §119.

The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

12. The prior application is assigned of record to Synaptic Pharmaceutical Corporation.

13. A preliminary amendment and Information Disclosure Statement including PTO Form 1449 are enclosed.

14. The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Thomas F. Moran (Reg. No. 16,579); Ivan S. Karukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Thomas G. Carulli (Reg. No. 30,616); Robert D. Katz (Reg. No. 30,141); Peter A. Luccarelli, Jr. (Reg. No. 29,750); Peter J. Phillips (Reg. No. 29,691).

Hung-Teh Kao, et al.
Serial No.: Not Yet Known
Filed: Herewith

Cont/Div./FWC
Page 3

(a) The power appears in the original papers in the prior application.

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) Address all future communications to:
(May only be completed by applicant,
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15 X Also enclosed Express Mail Certificate of Mailing No.

EL525962900US dated August 14, 2001, duplicate set of figures

16 X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/145,864 as originally filed on September 2, 1998, which in turn was ultimately a copy of prior application Serial No. 07/429,832 filed October 31, 1989.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 14, 2001

Date

Signature Alan J. Morrison Reg. No. 37,399

INVENTOR(S)
ASSIGNEE OF COMPLETE INTEREST
ATTORNEY OR AGENT OF RECORD
xx FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hung-Teh Kao, et al.
U.S. Serial No. : Not Yet Known
Filed : Herewith
For : DNA ENCODING A HUMAN SEROTONIN (5-HT₂) RECEPTOR AND USES THEREOF

1185 Ave of the Americas
New York, New York 10036
August 14, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Box Patent Application

Sir:

EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" Mailing Label Number: EL525962900US
Date of deposit: August 14, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, Attn. Box Patent Application.

Printed Name Jamel Khas

Respectfully submitted,



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